

IN THE FIFTH JUDICIAL DISTRICT COURT

FOR IRON COUNTY, STATE OF UTAH

CHURCH OF SCIENTOLOGY )  
OF CALIFORNIA, a corporation )

Plaintiff )

v. )

GERALD ARMSTRONG, et al )

Defendants )

CIVIL CASE No. 9685

AFFIDAVIT OF OMAR V. GARRISON

STATE OF UTAH )  
 ) ss.  
COUNTY OF IRON )

I, Omar V. Garrison, being duly sworn, depose and say:

1. I am a professional author and journalist, currently residing at 1099 W. Cedar Knolls South, Cedar City, Utah 84720.

BACKGROUND AND EXPERIENCE

2. I have worked continuously since 1940 as a journalist and author, both for major news services, metropolitan newspapers, and as a freelance. I began my writing career as a correspondent for United Press ( now UPI) in the Republic of Panama, covering the Caribbean area and the Panama Canal. In 1943, I was licensed by both the United States and Britain as a front-line war

correspondent by both the United States and Britain. I was employed by Reuters British news service, and assigned to the U.S. Fifth and the British Eighth Armies. I covered the Italian campaign, starting at Anzio beachhead. Following the war, I worked as newspaper editor for two years, then became senior technical writer for Aerojet Engineering Corp., of Azusa, California, where I edited progress reports dealing with proto-type rockets which, in later stages of development, were (and are) used in the U.S. space program. In October 1948, I was employed by the Los Angeles Mirror (later Mirror-News) as both religion and science editor. I held these positions for 10 years, with the exception of a year in which I was on leave to work as senior technical editor in the Research and Development department of Hughes Aircraft Company, Culver City, California. In 1954, I was awarded the Ogden Reid Fellowship by the New York Herald-Tribune, a grant for research abroad, given each year to two of the most outstanding journalists in America. In 1957, I received a top award from Freedoms Foundation at Valley Forge for "outstanding achievement in bringing about a better understanding of the American way of life." Since resigning from the Mirror-News, I have been self-employed as a freelance writer and syndicated journalist.

3. I have authored and published 14 books, ranging in subject matter from Oriental philosophy to a biography of the late Howard Hughes. Three of my books, viz., The Hidden Story of Scientology; The Secret World of Interpol; and Playing Dirty, are concerned with the Scientology sect and their legal battles with various governmental agencies and others, here and abroad. In the books, I defended the Scientologists' right to be free of governmental oppression and to be judged solely on their overt acts, rather than their doctrines, however unpopular or misguided the latter have been. The last of these books, Playing Dirty, is presently frowned upon by the cult hierarchy on the ground, I believe, that it relates in full the government's allegations against convicted officials of

the cult. The book is critical of what I regard as serious unconstitutional conduct by federal agencies and the Justice Department, and my principal interest was in the civil liberties issues involved, as I stated in the book's foreword.

#### CHRONOLOGY OF THE INSTANT CASE

4. On October 30, 1980, I signed an agreement with AOSH DK Publications, of Copenhagen, Denmark, to write a biography of L. Ron Hubbard, founder of the Church of Scientology. Inter alia, the contract provided that the publisher would use its best efforts to provide me with a research assistant and "any needed archival and interview materials in connection with the writing of the work."

5. Consonant with the foregoing mutual understanding, Gerald Armstrong, a personal aide to Mr. Hubbard, was assigned the task of serving as my research assistant. To that end, archival materials were moved from various locations to the Scientology centre in Cedars of Lebanon complex in Los Angeles to be conveniently at hand since I was working in that area. Armstrong acting as Mr. Hubbard's archivist, had custody of all the materials, which were kept in locked files, to which he had the keys. Mr. Armstrong supplied me with photostatic copies of all documents, letters, notes, and other materials he considered necessary to the writing of an honest, forthright biography of L. Ron Hubbard. As a guideline, Armstrong had been given a copy of correspondence in which I had stated unequivocally that I would not write what in the trade is known as a "puff", that is, an exaggerated, eulogistic, or false account of the founder's life. In my discussions with Mr. Armstrong, we agreed that the lies, misrepresentations and hyperbole which constitute the legal biographies of Hubbard, propagated by the Church of Scientology, were counter-productive and actually ruinous to Hubbard's reputation, since they could be documented by his enemies

as false claims, and therefore make him appear a charlatan. Originals of the said materials were returned to the locked files.

6. Several months after the signing of the aforementioned contract with AOSH DK Publications, I learned that certain provisions set forth in the agreement, as well as others made orally to me by Mr. Hubbard's personal representatives in order to induce me to sign the contract, would not be met, with the result that I would incur substantial loss of economic opportunity and income from the book. Accordingly, I asked that the agreement be amended to bring its terms into line with the traditional royalty provisions of any standard author-publisher contract. Although I have no contractual relationship whatever with the Church of Scientology, sometime in May 1982, I was asked to attend a meeting of Scientology officials and their attorney, Sherman D. Lenske, in the Cedars complex, to discuss my request for an amended agreement. At the said meeting, and in the presence of the Church of Scientology attorney, a church executive, one Lyman Spurlock, slanderously accused me of being a blackmailer because I was seeking a more equitable contract. At that point, I informed them that any further discussions would have to be through my attorney.

7. At various times since that date, my attorney has received letters and telephone calls from legal representatives of the Church of Scientology, threatening legal action against me unless I return the materials provided me by Gerald Armstrong, acting as personal archivist to L. Ron Hubbard.

OUTRAGEOUS BEHAVIOUR OF PLAINTIFFS AND THEIR COUNSEL

8. On November 15, 1982, I was served a subpoena duces tecum, signed by the County Clerk of Iron County, ordering me to appear at the office of Attorney Michael W. Park to testify in the case of the Church of Scientology v. Gerald

Armstrong, an action pending in the said court, that is, the Judicial District Court in and for Iron County, State of Utah. Attorneys for the plaintiffs, both in California and in Utah, knew or should have known, that Gerald Armstrong was not then and never had been a resident of the State of Utah. Mr. Armstrong had not been served nor his counsel noticed of the action, for the reason that the plaintiffs and their attorneys well knew that the action was improper and unethical and outside the jurisdiction of this court. This egregious abuse of legal process is characteristic of the cult of Scientology's various lawsuits throughout the country.

9. No supporting affidavit was attached to the aforesaid subpoena, and I contacted my attorney in California to learn whether he knew of the action. Both my attorney and counsel for defendant Gerald Armstrong searched the register of actions in Los Angeles, but were unable to find any record of a commission having issued to the Church of Scientology for taking an out-of-state deposition. My attorney, knowing the underhanded and unethical tactics of the Scientologists, concluded that the subpoena was defective and/or invalid, and directed me not to appear for the deposition.

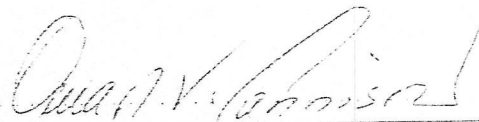
10. From on or about November 22, 1982 to November 30th, 1982, a goon from a private detective agency in California, accompanied by a person who, on information and belief, was an undercover operative of the cult's infamous B-1 (a secret intelligence system patterned after that of Hitler's spy chief, Gen. Reinhard Gehlen, and whose principal function is to spy upon harass, and carry out covert operations against individuals conceived to be hostile to Scientology) appeared in my neighborhood in Cedar City. Thereafter, the two snoopers parked their car at various locations in the immediate vicinity of my residence and, using binoculars, kept me, my home, and my family, under constant surveillance. Several of my neighbors, observing the car parked in

front of their homes, asked the two Paul Prys to identify themselves. When I became aware of the operation, I allowed the operatives' car to trail me to a dead-end street, where I obtained their license number, which I reported to the Cedar City police. My California attorney then informed the Scientology lawyer that preliminary investigation had disclosed that the individuals involved were employed by his client, the "church." He further stated that, upon verification and/or any further such conduct, I would seek criminal prosecution and civil damages for such outrageous conduct. The professional "private eye" withdrew, but the cult's bumbling, robot amateur sleuths have continued the harassment, and the agency in California has added to their dirty tricks a series of annoying telephone calls to my associates and friends. In due course, all those engaged in the operation will face charges in a federal jurisdiction.

11. On December 9, 1982, I was served with an order, signed by District Judge J. Harlan Burns, to show cause why I should not be held in contempt for failing to respond to the subpoena of November 15, 1982. No complaint nor supporting affidavit accompanied the order. Some time later, when I obtained the complete file of this action, I found that the plaintiffs' Utah attorney, Mr. Michael W. Park, had attached as Exhibit A to his complaint (Civil No. 9685), dated September 3, 1982, an order dated September 1, 1982 issued by the Superior Court of California, County of Los Angeles, to the law firm of Trabish & Peterson of Marina del Rey, California, at that time attorneys of record for the Church of Scientology, commissioning them to take my deposition on September 13, 1982 at the Town and Country Inn, 200 North Main Street, Cedar City, Utah, commencing at 10 a.m. On the said date, I was in Europe; no subpoena for the deposition was or could have been served me.

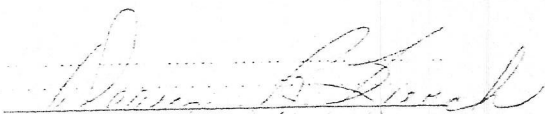
12. The entire basis for the plaintiffs' seeking my deposition is to harass and intimidate me; and, in the guise of discovery in the Armstrong case, improperly to lay the groundwork for a suit against me (which they have already

threatened on three occasions); and, if possible, to prevent me from exercising my First Amendment right as a journalist to freely publish my work. Throughout the United States and in a number of foreign countries, court decisions, sworn testimony, and countless documents prove conclusively that officials of the sinister and criminal Scientology cult have repeatedly abused the legal process and have engaged in practices of harassment and legal terrorism aimed at suppressing the publication of books and articles unfavorable to Scientology or to its founder, L. Ron Hubbard. The cult's action against Eugene Methvin, senior editor of Readers Digest, is typical. (This document is attached hereto as Exhibit \_\_\_\_). The present improper, unethical and duplicitous case against me follows in the same long tradition.



Omar V. Garrison

Subscribed and sworn before me  
this 7th day of January,  
1983.

  
Notary Public

My Commission Expires:

9/11/84

Residing In: Cedar City, Utah